

CHAPTER 20E. OAKLAND CEMETERY LANDMARK DISTRICT

Sec. 16-20E.001. Statement of intent.

The intent of establishing Oakland Cemetery Landmark District zoning regulations shall be the following:

1. To preserve Atlanta's oldest municipal cemetery and its unique landscape, handcrafted statuary, and general architectural excellence.
2. To recognize and preserve Oakland Cemetery as a repository of Atlanta's history which includes her Civil War dead, slaves, paupers, and great citizens who include Margaret Mitchell, Bobby Jones and others.
3. To ensure that future development and maintenance considerations are sensitive to and compatible with the unique character of this irreplaceable portion of Atlanta's heritage.
4. To preserve Oakland Cemetery as a parklike oasis for passive recreation in this 19th century sculpture garden.

Sec. 16-20E.002. General regulations.

The following regulations shall apply to the entire Landmark District. All rehabilitation, restoration or new construction shall require a certificate of appropriateness from the Atlanta Urban Design Commission (AUDC). All proposed development shall conform to the following regulations:

1. Regulations shall be minimum standards which must be followed and shall be applied by the AUDC (section 16-20.008).
2. The AUDC shall further adopt and maintain guidelines that shall extend the intent of these regulations, further define elements of architectural landscape design and ensure the compatibility of future development and restoration within this Landmark District.
3. The power to hear, grant or deny variances from these regulations shall rest with the AUDC.
4. *Procedure for variance:* Upon a determination of the AUDC that an application for renovation or new construction is in conflict with the intent of these regulations and/or the guidelines, the AUDC shall institute procedures for public notification and public hearing as are specified similarly for the board of zoning adjustment (section 16-26.001). Notification shall include any government or nonprofit institution which has legitimate interest in the historic integrity of this Landmark District.
5. *Secretary's guidelines:* In addition to specific standards listed herein, the Secretary of the Interior's Standards for Historic Preservation Projects Part 1 shall be a part of these regulations and shall be applied by the AUDC.
6. *Landscaping criteria:*
 - (a) A certificate of appropriateness shall be required for any alteration to existing walks, walls or drives and the removal of trees or shrubs other than "volunteers" which endanger the movements, mausoleums, walls, paths and steps, or hamper pedestrian and vehicular circulation.
 - (b) Repairs to walks, walls and drives shall be done with matching materials, style and technique. The final result shall be of a quality equal to the original work and contiguous with adjacent masonry.
 - (c) Construction materials within the cemetery shall be limited to granite, marble, limestone, sandstone, molded concrete and brick.
 - (d) The use of gravel, marble chips and granite dust on grave surfaces is prohibited.

- (e) A certificate of appropriateness shall be required for any alteration to the existing tree or shrub planting within Oakland Cemetery.
 - (f) The park-like character of Oakland Cemetery shall be maintained by the planting of high branching native hardwood trees, sufficiently spaced apart to maintain a light shade which is conducive to the growth of grass. Tree and shrub species selected for new planting shall be consistent with existing species within Oakland Cemetery. Evergreen species shall be planted selectively to create contrast and interest. Hybrid and exotic trees and shrub species shall be prohibited.
7. Buildings, mausoleums and monuments:
- (a) Existing buildings in Oakland Cemetery consists of a watchhouse, the tower building, maintenance barns and public toilets. A certificate of appropriateness shall be required for the demolition or repair of any existing building.
 - (b) Repair of existing buildings shall be done with matching materials, style and technique. The final result shall be of a quality equal to the original work and contiguous with adjacent masonry.
 - (c) No additional buildings shall be allowed.
 - (d) All buildings in the Landmark District shall be subject to the provisions for demolition or removal of existing structures as specified in section 16-20.007(3) of this part.
 - (e) The Preservation Briefs #1 prepared by the Technical Preservation Services Division of the Office of Archeology and Historic Preservation and Recreation Service will be adhered to for the cleaning of all buildings and monuments and mausoleums.
8. It shall be mandatory for all parks and recreation personnel charged with the maintenance and upkeep of Oakland Cemetery to be made aware of the intent and specific content of these regulations. A copy of these regulations shall be maintained on the site with the supervisory staff responsible for the maintenance of Oakland Cemetery.

City personnel anticipating any activity to change the physical appearance or functional character of the landscape, drives, walks, walls, monuments, mausoleums, planting or buildings of Oakland Cemetery shall initiate such activity only upon approval of the AUDC as specified in this part.